AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO AUTHORIZE THE CHIEF FINANCIAL TO PAY ALL OUTSTANDING INVOICES, TO **OFFICER TOPLE** CONSTRUCTION AND ENGINEERING, INC., FOR FC-3006007910, VIRGINIA HIGHLAND STREETSCAPE PROJECT, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED EIGHTY FIVE THOUSAND FOUR HUNDRED NINETEEN DOLLARS AND SIX CENTS (\$85,419.06). ALL PAYMENTS BE CHARGED TO AND PAID FROM FUND. ACCOUNT, AND CENTER NUMBERS: 1C28 (GENERAL GOV'T CAPITAL OUTLAY FUND) 574001 (FAC. OTHER THAN BUILDINGS) M23F03389985 (NORTH HIGHLAND AVENUE SIDEWALKS) AND 1C28 (GENERAL GOV'T CAPITAL OUTLAY FUND) 524001 (CONSULTANT/PROF. SERVICES) M65F01869985 (HIGHLAND CORRIDOR); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an agreement with Tople Construction and Engineering, Inc., for FC-3006007910, Virginia Highland Streetscape Project, on behalf of the Department of Public Works, pursuant to Resolution 06-R-0445, adopted by City Council on April 17, 2006 and approved by the Mayor on April 25, 2006; and

WHEREAS, the base term of the agreement was for a period of six months, beginning June 1, 2006 and ending December 6, 2006; and

WHEREAS, the City is in possession of the final remaining outstanding invoices from Tople Construction and Engineering, Inc., for work performed and authorized under the aforesaid contract, in an amount not to exceed eighty five thousand four hundred nineteen dollars and six cents (\$85,419.06); and

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That the Chief Financial Official is authorized to remit payment of all outstanding invoices to Tople Construction and Engineering, Inc., in an amount not to exceed eighty five thousand four hundred nineteen dollars and six cents (\$85,419.06).

SECTION 2: That all outstanding invoices shall be charged to and paid from form Fund, Account, and Center Numbers: 1C28 (GENERAL GOV'T CAPITAL OUTLAY FUND) 574001 (FAC. OTHER THAN BUILDINGS) M23F03389985 (North Highland Avenue Sidewalks) AND 1C28 (GENERAL GOV'T CAPITAL OUTLAY FUND) 524001 (CONSULTANT/PROF. SERVICES) M65F01869985 (Highland Corridor).

SECTION 3: That Chapter 2, Article X, Division 4, Section 2-1212 of the City of Atlanta's Code of Ordinances is hereby waived to the extent that such applies to the authorization of payment of the outstanding invoices.

SECTION 4: All ordinances and resolutions in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

REQUISITION

REQUISITION NUMBER

M 6 5 F

	BUY ENTITY	***************************************	REQUESTER I.D.	3 8 5			P-TO CODE	2 6 7						
	FAC S E FUN		C # ' S	B E L O W CENTER										
	•	,			DATE N	IEEDI	ED							
LINE #	ITEM NUMBER		DESCRIPTION		QTY	иом	UNIT PRICE	ESTIMATE AMOUNT						
	9024503	Services for: FC-300600	07910											
		VIRGINIA HI	GHLAND STREETSC	CAPE PROJECT										
		(Legislation for	r Final Payment on an I	Expired Contract)										
1		1C28 574001 M23F03389	9985 North Highland	Avenue Sidewalks			26,360.00	26,360.00						
2		1C28 524001 M65F0186	9985 Highland Corrido	r			59,059.06	59,059.06						
				***		***								
							<u> </u>							
	TOTAL.						\$ 85,419.	06						
SUG	GESTED VENDOR	Tople Construction		VENDOR N	UMBER	P082	9							
DEP	ARTMENT Publ	lic Works		BUREAU	Admin	istratio	n	······································						
	AGE: E143014	DELYN GRANT s that funds are available at the budg	get adoption level for all items.	DATE 7/	31/07	!	PHONE NUMBER	404.330.6739						
AUT	HORIZED SIGNATURE			DATE DATE COMPUTER EQUIPY APPROVE DISA										
		YER ID	FINANCE USE ONLY		HWIS	OUSE ON	<u>-</u> Y							
RE	O ENTERED BY	SIGNATURE	FAC APPROVAL	SIGNATURE			SIGNATUR	E						
		DATE		DATE			DATE							



City of Atlanta Department of Public Works Contract Name: Virginia Highland Streetscape

Contract No.: Application No.: P.O. No.:

FC-3006007910 VH-04

Invoice No.:

Contractor: Period Ending: Tople Construction & Engineering, Inc December 4, 2006

(For City Use Only)

Account No(s):

(HIVAL MAYMENT EXCEPT FOR RETAINAGE)

	Application for Payment	
	Engineering/Construction Services	
ΔΝΔΙ Υ	S OF CONTRACT AMOUNT TO DATE	
/114/Am 1 v	A. Original Contract Amount:	\$566,298.70
	B. Additions by Approved Change Order:	\$38,200.00
	C. Deductions by Approved Change Order:	\$0.00
	D. Total Authorized Amount to Date (A + B + C):	\$604,498.70
	S OF WORK PERFORMED THIS PERIOD	
ANALY		\$85,419.06
	the state of the s	\$0.00
	and the state of t	\$0.00
		\$85,419.06
	the state of the s	\$0.00
	I. Less Retainage for This Period: J. PAYMENT THIS INVOICE, (H - I):	\$85,419.06
		The state of the s
ANALY:	S OF WORK PERFORMED TO DATE	\$ 651,673.56
	Amount Earned to Date	\$522,752.79
	K. Amount Previously Paid:	\$43,501.72
	L. Retainage Previously Held:	\$608,171.85
	M. Total Paid to Date, (J + K):	\$43,501.72
	N. Total Retainage Held to Date (I + L):	\$21,750.86
	a. Retainage Reduction to 5%	\$21,750.86
	b. Retainage Now Held (N-Na)	\$102,169.92
	c. PAYMENT NOW DUE THIS INVOICE (J+Nb)	
ANALY:	S OF CONTRACT TIME	June 1, 2006
	O. Notice to Proceed Date:	180
	P. Original Contract Time for Completion in Days:	December 13, 2006
	Q. Original Contract Completion Date:	186
	R. Elapsed Contract Time in Days:	-6
	S. Original Contract Time Remaining in Days:	
	T. Additional Days Allowed by Amendments	
	U. Amended Contract Time in Days, (P + T):	
	V. Amended Contract Completion Date:	
ΛΝΔΙ V	IS OF CONTRACT TIME VERSUS COST OF WORK PERFORMED	
HIAWF 1	W. Percentage of Total Contract Time Elapsed, (R / P):	103%
	X. Percentage of Total Cost of Work Paid, (M / D)	100.61%
CONTR	CTOR'S STATEMENT OF CERTIFICATION	100%
	Y. Estimate of Percentage of Work Completed:	
According 5	the best of my knowledge and belief, I certify that the items and amounts shown on the face of this Applic	ætion
for Paymer	are correct: that the work has been performed in full accordance with the requirements of the referenced	
contract ar	duly authorized change orders; that the "Estimate of the Percentage of Work Effort Completed" is based	on my
best, profe	ional evaluation of the work completed to date versus the total work required to complete the contract; an	d that
	e "Payment Due This Invoice" has been received.	
·	Date: 13-4-06	
Ву	Date: 13-9-06	
Title	Company: Topie Construction	& Engineering, Inc.
Sworn to	nd Subscribed before me on this the	(), -1
	day of200	17/5
	OP / MAINER CX	MurcaMuson
	(NOTARY PUBLIC) (COPOR	RATE SEAL)
	(NOTART FORLIO)	

VIRGINIA HIGHLAND STREETSCAPE FC3006007910 PAY APPLICATION No. 004 THRU DECEMBER 4, 2006 (FINAL EXCEPT FOR RETAINAGE)

THERMOPLASTIC SOLID TRAF STRIPE, 5", WHITE LF \$ 0.75 802 3 001.30 802 3 001.30 802 3	20 THERMOPLASTIC PVMT MARKING, ARROW, TP 2 EA \$ 120.00 1 \$ 120.00 0 \$	4" PVC FOR DRAINAGE OF TREE WELLS LF \$ 3.50 1234 \$ 4,319.00 1,534 \$ 4,0007.00	BIKE RACKS EA \$ 400.00 10 \$ 4,000.00 10 \$ 4,000.00	IES EA \$ 2,000.00 15 \$ 30,000.00 15 \$ 30,000.00	LS \$ 50.00 0 \$.	\$ 3,900.00	26 \$ 5,200.00 0 3 -	\$ 150,00 2 3 300,00 0 5	EBOX TO GRADE EA \$ 100.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5 5 200.00 5	EA \$ 100.00 3 \$ 200.00 3 \$ 3.00.00 \$	ADJUST WATER METER BOX TO GRADE EA 3 190.00 25 3 2,000.00 3 3 3,000 3 3 5	EA \$ 250.00 9 3 2,250.00 4 1,000.00	\$ 500,000 8 3 4,000,000 0 0 0 1,000,000	17PBC EA \$ 1,200,001 1 3 1,200,000 0 \$ 4,000,000 0 \$ 4,000,000 0 \$ 1,000	CURB CUT WHEELCHAIR RAMP, TYPE B EA \$ 1,200,000 2 3 2,000,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,000 1 20,000 3 4,000,00	CURB CUT WHEELCHAIR RAMP, TYPE A EA \$ 1,200,000 3 3,000,000 7 \$ 2,400,000	3 3 3 400 00 7 7 8 400 00 00 00 00 00 00 00 00 00 00 00 00	30.22 23 30.21 10.10 \$ 27.30.00	3 30.00 1/4 3 3,777.00	B 40.00 370 c 0724 0 311 \$ 1304800	HEX. CONC. PAVERS ON CONC BASE (incl. all materials in specs) SY \$ 170.50 128 \$ 21,824.00 120 \$	XS) DY 3 18.00 200 2 200 200 200 200 200 200 200 20	CAL 3 10.00 32 5 5000.00 308 \$ 5.544.00	INCL BITUM MAIL & H. LIME 173 2 300 00 0 \$	RECYCLED ASPH CONC 19 MM SUPERPAVE, GP 1 OR 2,		GR AGGR BASE CRS, 8 IN. INCL MATL SY \$ 15.00 227 \$ 3,405.00 0 \$	LS \$117,800.00 1 \$ 117,800.00 0.85 \$ 100,130.00 0.15 3	CHARLES TRACKION CONTROL LS \$ 5,000.00 1 \$ 5,000.00 0.50 \$ 2,500.00 0.50 \$ 3,000.00 0.50 \$ 1,000.00 \$ 1,000.00 \$ 1,000.00 \$ 1,000.00 \$ 1,000.		MAINTENANCE OF ESTIMMENT INLET TRAP EA \$ 100.00 3 \$ 300.00 3 \$ 300.00	CONSTRUCT AND REMOVE INLET SEDIMENT TRAP EA \$ 130.00 3 \$ 390.00 3 \$ 300.00 \$ S MAINTENANCE OF SEDIMENT INLET TRAP EA \$ 100.00 3 \$ 300.00 \$	TRAPFIC CONSTRUCT AND REMOVE INLET SEDIMENT TRAP EA \$ 100.00 3 \$ 24,620.00 0.50 \$ 12,310.00 0.50
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TOTAL	ELECTRICAL WORK AUTHORIZED BY CITY	BIKE KACKS KEINSTALLATION	ADDITIONAL CONCRETE	MA LEKIALS LESTING	MITIGATE WATER SEEPAGE @ HIGHLAND TAP	LETTER DATED 11/30/06 ADDITIONAL COST FOR TREES	LETTER DATED 10/30/06 item B - DEMO ONLY	LETTER DATED 10/30/06 item A - DEMO ONLY	LETTER DATED 10/19/06 item 1	LETTER DATED 10/19/06 item G-2 8" DRIVEWAY	LETTER DATED 10/19/06 from G-1 HES CONCRETE	LETTER DATED 10/19/06 item A	LETTER DATED 10/19/06 item B(1) & B(3)	FIELD CHANGE ORDER #3 - HIGHLAND TAP	FIELD CHANGE ORDER #2 - BI	FIELD CHANGE ORDER #1 - UTILITY	1	GALV STEEL POSIS, TP2	1	. -	-	NCHES (incl. 12"	ULMUS PARVIFLORA BOS	C. Trim & service		A. Rough-in electrical work	NEW ELECTRICAL OUTLETS AND CIRCUIT FOR TREES	B. Streetign pole type C - instau ugni pole ox it un	A Rough-in electrical work (con	NEW PEDESTRIAN STREETLIGHTS - TYPE C	RELOCATE UTILITIES - COORI	THERMOPLASTIC SOLID TRAF STRIPE, 8", WHITE	ı	THERMOPLASTIC SOLID TRAF STRIPE, 5", YELLOW		 	
	IZED BY CITY	Z) HIGHLAND TAP	TIONAL COST FOR TREES	- DEMO ONLY	- DEMO ONLY	,2,&3 CONSTRUCT 3 FLUMES	-2 8" DRIVEWAY	HES CONCRETE	- DEMO ONLY	(1) & B(3)	GHLAND TAP	FIELD CHANGE ORDER #2 - BELLSOUTH UTILITIES PAYMENT	AUTI			HETING, TP3		THE PARTY OF THE P	AKWADRAIN or equivalent)	***************************************	AMAZONIA AMAZ		CITY CLASS CO.	ND CIRCUIT FOR TREES	t tight pose ex is an	Rough in electrical work (conduit/base, pose base installment)	HTS TYPEC	DINATE WITH BELLSOUTH	STRIPE, 8", WHITE	STRIPE, 12", WHITE	STRIPE, 5", YELLOW			
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TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE	ATTN: GREG PRIDGEON
Dept.'s Legislative Liaison: Soraya Belgra	ave
Contact Number: (404) 330-6002	
Originating Department: Public Works	
Committee(s) of Purview: Finance and E	xecutive Committee
Chief of Staff Deadline: August 13, 2007	
Anticipated Committee Meeting Date(s):_	August 28 & September 11, 2007
Anticipated Full Council Date: September	er 17, 2007
Legislative Counsel's Signature:	Terrija
Commissioner Signature:	
Chief Procurement Officer Signature:	
COMPETITIVE PROCUREMENT PROV PROCUREMENT AND REAL ESTATE CO OF ORDINANCES, TO AUTHORIZE TH ALL OUTSTANDING INVOICES, TO TOP INC., FOR FC-3006007910, VIRGINIA HI BEHALF OF THE DEPARTMENT OF PL EXCEED EIGHTY FIVE THOUSAND FOR SIX CENTS (\$85,419.06). ALL PAYMENT FUND, ACCOUNT, AND CENTER NUMI OUTLAY FUND) 574001 (FAC. OTHER TH HIGHLAND AVENUE SIDEWALKS) A OUTLAY FUND) 524001 (CONSULT (HIGHLAND CORRIDOR); AND FOR OTHER	CITY OF ATLANTA TO WAIVE THE VISIONS CONTAINED IN ARTICLE X, ODE, OF THE CITY OF ATLANTA CODE E CHIEF FINANCIAL OFFICER TO PAY LE CONSTRUCTION AND ENGINEERING, IGHLAND STREETSCAPE PROJECT, ON IBLIC WORKS, IN AN AMOUNT NOT TO UR HUNDRED NINETEEN DOLLARS AND IS BE CHARGED TO AND PAID FROM BERS: 1C28 (GENERAL GOV'T CAPITAL HAN BUILDINGS) M23F03389985 (NORTH ND 1C28 (GENERAL GOV'T CAPITAL ANT/PROF. SERVICES) M65F01869985 IER PURPOSES.
Mayor's Staff Only	Provided by LC from CDO
Received by CPO: (date)	Received by LC from CPO:
Received by Mayor's Office: 8/3/07	Reviewed by: (date)
Submitted to Council:	(date)